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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 000179

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TAGS: [PHUM](#) [KDEM](#) [KJUS](#) [PGOV](#) [PINS](#) [IZ](#)
SUBJECT: MINISTER OF HUMAN RIGHTS ON PRISONS AND COR HR
COMMITTEE

REF: 2007 BAGHDAD 3591

Classified By: Deputy Political Counselor Ellen Germain for reasons 1.4
(b) and (d)

11. (C) SUMMARY: Minister of Human Rights Wijdan Salim on January 19 criticized living conditions she observed during a recent unannounced visit to the Ministry of Justice (MOJ)-operated Khadamiya women,s prison that she undertook at PM Maliki's request. She said that while some inmates alleged that police tortured and raped them at police stations, they did not allege rape at the prison itself. The Ministry of Human Rights (MOHR) is helping the prison institute a checklist to check for signs of rape and pregnancy during the inmates' intake process. Wijdan described another MOHR visit to the Adala facility, to investigate allegations (apparently untrue) that women were being held with men. The Minister complained that Minister of Justice al-Safi was trying to impede MOHR visits to MOJ prisons and was spreading misinformation about the torture of MNF-I security detainees at Camp Bucca. Wijdan expressed frustration over tense relations with the Council of Representatives, (CoR) Human Rights Committee, but also noted she would still try to coordinate with the committee on substantive issues such as the Amnesty Law and the High Commission on Human Rights (HCHR) Law. She flatly rejected an assistance role for UNAMI on the HCHR Law. END SUMMARY.

MOHR: NO RAPE AT WOMEN'S PRISON, BUT POOR CONDITIONS

12. (C) In a January 19 meeting with PolOffs, Minister of Human Rights Wijdan Salim said she had made an unannounced visit to MoJ-run Khadamiya women,s prison on a direct request from PM Maliki to investigate rape and torture allegations. The Minister said she saw no such evidence in the prison, but that some inmates alleged that police raped and tortured them at police stations six months to a year before their arrival at Khadimiya. She said one solution is for women to have lawyers at the detention stage, when many violations reportedly take place. She reported that prison conditions were poor: there was no heat or electricity, 23 babies were in custody with their mothers, and the medical clinic lacked a women,s doctor and capacity to properly evaluate medical conditions. The Ministry of Human Rights (MOHR) is planning to send the clinic a comprehensive checklist for examining women for torture, rape, or pregnancy. The clinic currently only checks women for signs of torture, rape, or pregnancy if the women report such incidents. She said that women are afraid to make torture or rape accusations, and so the clinic should check every woman upon arrival from police stations.

13. (C) Also upon request from the PM, an MOHR team investigated allegations that women were being held with men at the Ministry of Interior (MOI) Khadimiya Second National Police detention facility at Forward Operating Base (FOB) Justice (also known as "Adala") The team said that women were only held at the facility upon arrest and were

transferred to Khadamiya within a day, and so they found no evidence to support the allegation. The Minister said MOHR has visited all Iraqi police stations in the last three months and alleged that many stations are being used as prisons even after the cases are decided by judges. She said that all MOHR reports on prisons and police stations are sent to the PM, Ministers, CoR, and Commission on Public Integrity (CPI), and that then the MOHR and CPI work together to investigate allegations of murder.

COMPLAINTS ABOUT JUSTICE MINISTER

¶4. (C) Wijdan embarked on a series of complaints about the Minister of Justice, Dr. Safa al-Safi, saying Al-Safi called her after these recent visits and told her angrily that MOHR could not visit any more prisons without his permission and could not bring cameras to document violations. Al-Safi reportedly recently sent a letter to other ministries saying his permission was needed before any prison inspections. Wijdan said the PM had issued a letter ten days earlier saying the MOHR has the right to visit any prison at any time. She said she asked the PM on January 18 to remove Al-Safi from his position, and predicted he would not remain Minister of Justice for much longer. She also complained that al-Safi is spreading &lies8 about torture violations in MNF-I Bucca prison (NFI).

MOHR: RELATIONS WITH COR HR COMMITTEE ARE TENSE

¶5. (C) After several months without meeting, Wijdan and eight members of the CoR Human Rights Committee, including the chair and the deputy chair, met on January 16 because (Wijdan claimed) CoR Speaker Mashadani scolded the Committee for not cooperating with the MOHR and admonished them for being an ineffective committee. Wijdan admitted she had complained to

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Mashadani about the committee the day before. She said the meeting failed to address substantive issues, but did attempt to resolve communication problems.

MOHR REJECTS UNAMI ROLE IN FACILIATING HCHR LAW

¶6. (C) Wijdan said she would meet soon with the committee to discuss the Amnesty Law and the three laws regarding the three human rights institutions: the MOHR, the High Commission on Human Rights (HCHR)(reftel), and the Institute for Human Rights. She was somewhat receptive to the idea that the meeting could be facilitated by USG coordination but adamantly refused any participation by UNAMI, which she said has meddled too much. "It is for us to decide," she declared. Regarding the HCHR Law, Wijdan said she asked Mashadani and al-Safi to get the law out of the Shura Council (where she said it has been sitting for a while) and send it to the CoR. She said she would work with the HR Committee on coordinating her version and the committee,s version of the HCHR draft law. (Note: UNAMI's Human Rights Office has proposed chairing a roundtable between MOHR and the HR Committee, with U.S. and UK participation, to try to resolve legislative differences. There may be precedent for this type of effort, as Wijdan noted she had agreed to put together a roundtable to work on the Ministry of State for Civil Society Law. End Note.)

¶7. (C) COMMENT: Wijdan is an active participant in government activity regarding human rights, especially with regard to prison investigations. The fact that these recent visits were at the behest of the PM is encouraging, as it seems to indicate that at least some parts of the Iraqi government are taking allegations of torture, rape, and other violations seriously. Additionally, although the High Commission for Human Rights Law has been stuck in various review stages, mostly because of a lack of cooperation between the Ministry and the Committee, recent and possible future meetings between the parties are signs of progress.

END COMMENT.

CROCKER